

# MOSS & BARNETT

A Professional Association

## FACSIMILE TRANSMITTAL LETTER

4800 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-4129  
Telephone 612.347.0300  
Facsimile 612.339.6686  
www.moss-barnett.com

This transmittal consists of 14 pages including this cover letter.

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DATE: February 22, 2005

FILE NO.: 82.8309

TO: Attention: Richard C. Fults, Examiner FROM: Glen E. Schumann

COMPANY: U.S. Patent and Trademark Office DIRECT DIAL NO.: 612.347.0282

FACSIMILE NUMBER: (703) 308-3691

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TERESA A. WEST  
JEFFREY L. RODENSTEINER  
LISA A. HASTER  
JULIA M. DAYTON  
  
OF COUNSEL  
THOMAS E. HARMS  
ARTHUR J. GLASSMAN

**GLEN E. SCHUMANN**  
612.347.0282  
SchumannG@moss-barnett.com

4800 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-4129  
Telephone 612.347.0300  
Facsimile 612.339.6686  
www.moss-barnett.com

February 22, 2005

**VIA FAX**

**PERSONAL AND CONFIDENTIAL**

Richard C. Fults, Examiner  
United States Patent and Trademark Office  
Commissioner for Patents  
Crystal Park 5  
2451 Crystal Drive  
Arlington, VA 22202

Re: U.S. Patent Application No. 09/637,728  
Filed August 11, 2000  
Title of Invention: Computerized Auction System For Use With Multiple Purchasing Media  
First Named Inventor: Joseph C. Jenniges  
Our File No.: 82.8309

Dear Dick:

In response to your telephone call of February 10, the web pages which were referenced in the applicant's Information Disclosure Statement dated June 4, 2004 have no known priority date. This information was first presented to the Applicant by the Examiner with the Canadian Intellectual Property Office in an office action dated March 5, 2004 regarding a pending Canadian patent application identified as CA 2,385,190. Copies of Yahoo web page were provided by the Canadian Examiner and are attached.

We have attached copies of current web pages for the FairMarket and Hinda Incentives web sites. We have also reviewed the history of the web page as we are best able through archive.org, an internet service for identifying web page material on specific known dates. The results of the archive.org search are also enclosed. It appears that the FairMarket web page was created in September, 2003. No information was available for the Hinda web page. Hinda was apparently acquired by Dynabazaar. A search of these web pages indicates nothing before 2004. We presume that these are the earliest dates of priority for these references but have no other knowledge relevant to this disclosure.

Richard C. Fults, Examiner  
February 22, 2005  
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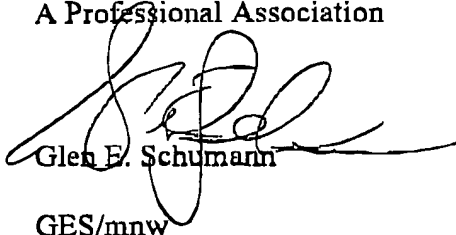
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Should you have any additional questions, please feel free to contact our office.

Thank you.

Sincerely,

MOSS & BARNETT,  
A Professional Association



Glen E. Schumann

GES/mnw  
Attachments

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